

JURISDICTION:

General Reference:

Basis for a Speed Law Violation:

Basic Speed Rule:

Statutory Speed Limit:
See Other below.

Posted (Maximum) Speed Limit:

Minimum Speed Limit:

Posted (Minimum) Speed Limit:

Other:

Adjudication of Speed Law Violations:

Civil/Criminal Adjudication of Violation:

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This chapter summarizes Mississippi State statutes related to speed.
Mississippi Code Annotated

See Careless Driving.

70 MPH for private passenger vehicles or passenger buses on interstate highways or on U.S. designated highways with 4 or more lanes. 63-3-501 (3)
65 MPH for private passenger vehicles or passenger buses on other highways. 63-3-501 (2)
60 MPH for trucks or truck-trailers on highways with 4 or more lanes 63-3-501 (1)
55 MPH for trucks or truck-trailers on other highways 63-3-501 (1)

I. Based on engineering and traffic investigations, the State Highway Commission may decrease the above speed limits. 63-3-503 (1)
Note: Except as noted under Other below, Mississippi law does not specifically state whether different highway speed limits may be established either for different types of vehicles, for various weather conditions or for different times of the day.
II. Based on engineering and traffic investigations, local governments may decrease the maximum speed limits on streets or highways under their jurisdictions. However, no posted speed limit shall be <15 MPH 63-3-511 (1)
III. Based on engineering and traffic investigations, local governments may adopt speed limits on limited portions of highways that are near schools or churches. The local government may provided that these special limits shall only be in effect during certain days or times. 63-3-515

A person, driving at less than the normal speed of traffic, shall drive in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway. 63-3-603

30 MPH on Federal designated highway when no hazard exists 63-3-509(1)
40 MPH on Interstate highways on 4 lane U.S. designated highways which have a posted maximum speed limit of 70 MPH 63-3-509(2)

I. A school bus shall not be operated at a speed >45 MPH while transporting children to and from school on regular routes. However, such bus may be operated at not >50 MPH on authorized school trips. 37-41-47
II. During inclement weather or when visibility is bad, a truck or truck-trailer cannot be operated >45 MPH. 63-3-505
III. The State Highway Commission may establish safe maximum speed limits for bridges or elevated structures. 63-3-513
IV. Speed limits may be established for a highway work zone. 63-3-516(1)

All Speed Law Violations are Misdemeanors. 37-41-47 & 63-9-11(1)

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Adjudication of Speed Law Violations: (continued)

Other:

Sanctions Following an Adjudication of a Speed Law Violation:

Criminal Sanctions:

Imprisonment:

Term (Day, Month, Years,
Etc.):

1st offense-Not more than **10 days** 2nd offense within 1 year-Not more than **20 days** Subsequent offense within 1 year-Not more than **6 months** 63-9-11(2)

Special Note: If the offender only exceeded the posted speed limit (63-3-503 (1)) but did not exceed the maximum speed limit (63-3-501), the incarceration term is only **half** of that noted above. 63-3-503 (3)

Operating a School Bus in Excess of either 45 or 50 MPH-**None** 37-41-47

None

Mandatory Minimum Term:

Fine:

Amount (\$ Range):

1st offense-Not more than **\$100** 2nd offense within 1 year-Not more than **\$200** Subsequent offense within 1 year-Not more than **\$500** 63-9-11(2)

Special Note: If the offender only exceeded the posted speed limit (63-3-503 (1)) but did not exceed the maximum speed limit (63-3-501), the fine is only **half** of the amount noted above. 63-3-503 (3)

Operating a School Bus in Excess of either 45 or 50 MPH-**\$25 to \$100** 37-41-47

None

Mandatory Min. Fine (\$):

Other Penalties:

Traffic School:

Other:

Highway Work Zone. A person is subject to a fine of not more than **\$250** for exceeding the posted speed limit in a highway work zone. 63-3-516(1)

Licensing Action:

Type of Licensing Action

(Susp/Rev):

Term of License Withdrawal

(Days, Months, Years, etc.):

Suspension¹ 63-1-53(2)(d)

Note: The law does not specify either a minimum or maximum suspension period.

Mandatory Minimum Term of

Withdrawal:

None

Miscellaneous Sanctions

Not Included Elsewhere:

I. For speed law violations in Title 63, there is, in addition to any fine, a mandatory State assessment of **\$23**. 99-19-73(1) & (3)

Sanctions Following an Adjudication of a Speed Law Violation:

The licensing agency has the discretionary authority to suspend a person's license if they have "been convicted with such frequency of serious offenses against the provisions governing the movement of traffic as to indicate a disrespect for traffic laws and a disregard for the safety of other persons on the highways." 63-1-51(2)(d)

(continued)

Miscellaneous Sanctions
Not Included Elsewhere: (continued)

II. For other misdemeanor offenses, there is a mandatory State assessment of **\$47**. 99-19-73(5) & (7)

III. **Bus Drivers & Operators of Vehicles for Hire.** A person may have their privilege to operate a bus or a vehicle for hire suspended or revoked if they recklessly disregard the speed regulations prescribed by law. 21-27-137 & 21-27-155

Other Criminal Actions Related to Speeding:

Reckless Driving:

Sanction:

Criminal:

Imprisonment (Term):

Misdemeanor 63-3-1201 & 63-9-11(1)

1st offense-**None** Subsequent offense-Not more than **10 days** 63-3-1201

Mandatory Minimum Term
of Imprisonment:

None

Fine (\$ Range):

1st offense-**\$5 to \$100** Subsequent offense-Not more than **\$500** 63-3-1201

Mandatory Minimum Fine:

None

Administrative Licensing Actions:

Type of Licensing Action

(Susp/Rev):

Suspension² 63-1-53(2)(c) 3 or more offenses within 12 months-
Revocation 63-1-51(1)(e)

Length of Term of License

Withdrawal Action:

Suspension-Note: The law does not specify either a minimum or maximum suspension period. Revocation-**1 year** 63-1-51(1)

Mandatory Term of License

Withdrawal Action:

Suspension-**None** Revocation-**1 year** 63-1-51(1) The revocation action appears to be mandatory.

Other:

In addition to any fine, there is a ~~mandatory~~ State assessment of **\$23**. 99-19-73(1) & (7)

Careless Driving³:

Sanction:

Criminal:

Imprisonment (Term):

Mandatory Minimum Term
of Imprisonment:

Misdemeanor 63-3-1213 & 63-9-11(1)

None

Fine (\$ Range):

\$5 to \$50

Mandatory Minimum Fine:

Other Criminal Actions Related to Speeding:
(continued)

The licensing agency has the discretionary authority to suspend a person's license if they have are "an habitually or negligent" driver. 63-1-51(2)(c)

Careless driving" is defined as operating "any vehicle in a careless or imprudent manner, without due regard for the width, grade, curves, corner, traffic and use of the highways and all other attendant circumstances." 63-3-1213

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Careless Driving: (continued)

Type of Licensing Action

(Susp/Rev):

Length of Term of License

Withdrawal Action:

Mandatory Term of License

Withdrawal Action:

Other:

Administrative Licensing Actions:

Suspension² 63-1-53(2)(c)

Note: The law does not specify either a minimum or maximum suspension period.

None

In addition to any fine, there is a mandatory State assessment of **\$23**. 99-19-73(1) & (7)

Commercial Motor Vehicle (CMV) Operators⁴:

Grounds for Suspension of CDL:

A person's CDL is suspended if while driving a CMV they either (1) commit 2 "serious traffic violations"⁵ within a 3 year period or (2) commit 3 such violations within a 3 year period. 63-1-83(4)

Period of CDL Suspension:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** 63-1-83(4)

Period of Mandatory CDL Suspension:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** 63-1-83(4)

⁴ A person who has obtained a commercial driver's license (CDL) and is qualified to operate a commercial motor vehicle. A commercial motor vehicle is defined as a vehicle used to carry either passengers or property and either has a gross vehicle weight of ≥26,001 lbs., is designed to transport 16 or more persons, or is transporting hazardous materials which requires that the vehicle to be placarded in accordance with U.S. Department of Transportation regulations. 63-1-75(f)

⁵ A "serious traffic violation" includes exceeding the speed limit by 15 or more MPH or reckless driving. 63-1-75(t)